

**Montana Department of Public Health & Human Services  
Quality Assurance Division – Certification Bureau**

**Requirements for the  
Nurse Aide Competency Evaluation Program**

Any organization wishing to provide a competency evaluation program in the State of Montana must submit to the State Survey and Certification Agency (SA) a written proposal which describes the details of their testing program. The testing program must include each of the items described in the following SA guidelines, which have been developed to meet the requirements of CFR 483.154, nurse aide competency evaluation.

CFR 483.154 Nurse aide competency evaluation

(a) Notification of individual. The State must advise in advance any individual who takes the competency evaluation that a record of the successful completion of the evaluation will be included in the State's nurse aide registry.

State Agency guideline.

1. The test vendor must include written notification to each individual who applies to take the test that a record of the successful completion of the test will be entered in the Montana State Nurse Aide Registry (State Registry). Notification may be done by including this information on the nurse aide test application form or as part of the pretest instructions given prior to the administration of the written (or oral) portion of the test.
2. The test vendor must inform each test candidate in advance that they must present the following two forms of identification to the test administrator in order to be eligible to take the test:
  - a. Photo identification card (e.g., driver's license, state identification card or equivalent)
  - b. Original social security card to verify the correct social security number and to verify that the individual is not listed in the SA's abuse registry. Any individual whose name is found in the SA's abuse registry may not take the test and must be reported immediately to the State Registry.

(b) Content of competency program.

(1) Examination and alternative to examination. The competency evaluation must—

- (i) allow an aide to choose between a written and an oral examination.

State Agency Guideline. The acceptable option to a written test is by providing an oral version of the test. The oral test may not be proctored by facility personnel. Procedures must be established that describe in detail how oral testing will be carried out. Provisions

for training persons to administer the oral test are to be described. It is not required that a registered nurse administer the oral test.

(ii) Address each course requirement specified in 483.142(b).

State Agency Guideline. The written (or oral) test must include questions representative of each of the subject areas of the SA's approved core curriculum. A description of the percentage of test questions taken from each of the required subject areas is acceptable. These include the following topic areas:

1. Role and responsibility of the nurse aide
2. Residents' rights and basic human needs
3. Communication and interpersonal skills
4. Basic nursing, restorative and personal care skills
5. Residents' physical environment and safety and emergency skills
6. Basic nutritional and hydration needs
7. Prevention and control of infection
8. Psychosocial and emotional needs.

(iii) Be developed from a pool of test questions, only a portion of which is used in any one examination.

State Agency Guideline. A base pool of 500 multiple choice test items, which can be randomized to produce different forms of the test, is acceptable. Include a description of how the test is randomized and how frequently the test will be changed. The maximum number of items per test should not exceed 100 (a 75-question test is recommended). Validity and reliability statistics are requested to be completed on the first 300 tests administered, which are representative of all regions of Montana. The statistics are to be reported to the SA within a reasonable period of time after completing the 300<sup>th</sup> test. Describe the statistics and the procedures that will be used to validate the test and to report the findings.

(iv) Use a system that prevents disclosure of both the pool of questions and the individual competency evaluations.

State Agency Guideline. Submit a description of how the pool of questions will be kept secure. Procedures for maintaining test security also are required. These procedures must include the following:

1. The method to account for each test packet
2. Delivery to the test site
3. Storage at the test site
4. Responsibility of, and the security measures to be taken by, the test administrators/proctors
5. Monitoring of the examinees during the test sessions
6. Storage of completed tests

7. Return of tests for scoring
8. Accounting for returned test packets

Results of the tests may be given only to the individual completing the test and to the State Registry.

(2) Demonstration of skills. The skills demonstration must consist of a demonstration of randomly selected items drawn from a pool consisting of the tasks generally performed by nurse aides. This pool of skills must include all of the personal care skills listed in 483.152(b)(3) and any others that he or she would be permitted to perform in the facility.

State Agency Guideline. Submit a description of the method(s) to be used to test the skills listed in 483.152(b)(3). This must include a task analysis of each skill, the method to be used for scoring each step and how pass/fail is determined. Provisions for training skills test administrators is to be included. The test must include at least 5 randomly selected skills from a pool of skills. No less than two of the randomly selected skills must be chosen from the list of personal care skills listed in Appendix C, Core Curriculum Requirements, section 5. The remaining three skills must be chosen from the Core Curriculum, sections 4, 6, 8 and 9. Each skill demonstration must incorporate as part of the task analysis the evaluation of the examinee's communication and interpersonal skills and recognition of residents' right to privacy and respect.

(c) Administration of the competency evaluation.

(1) The competency examination must be administered and evaluated only by--

(i) The State directly, or

(ii) A state approved entity which is neither a skilled nursing facility that participates in Medicare nor a nursing facility that participates in Medicaid.

State Agency Guideline.

1. Facility based program: Only a State approved entity that is not a nursing facility will conduct the competency evaluation program, except as provided at 483.154(d).
2. Non-facility based program: These may include units of higher education, such as community colleges, vocational-technical schools, Indian colleges, and nursing (LPN and RN) education programs. Nursing instructors who conduct the test program for these agencies must meet the qualifications and receive appropriate instruction by the test vendor as would any other test administrator or proctor.

(2) No charge for the competency evaluation may be imposed on any nurse aide.

State Agency Guideline. The costs of testing graduates of a facility based program are to be borne by the facility. The State approved test vendor will bill each facility on a per test (both written or oral and skills) basis. Testing may be done at regional sites but also must be offered at facilities who request it.

1. Submit the cost proposal for on-demand, in-facility testing and for scheduled testing at regional sites. Graduates of non-facility based programs who are not currently working in a nursing facility are to pay for their own testing costs.

2. Submit the cost proposal for tests administered by facility proctors and units of higher education for whom the labor costs of administering the tests are born by them. (Labor cost should not be included in test fees for entities which provide and pay for the services of the test administrator or proctor.)

(3) If an individual who is not employed, or does not have an offer to be employed, as a nurse aide becomes employed by or receives an offer of employment from, a facility not later than 12 months after completing a nurse aide competency evaluation program, the State must provide for the reimbursement of costs incurred in completing the program on a pro rata basis during the period the individual is employed as a nurse aide.

State Agency Guideline. The first nursing facility to hire an aide, who has completed a non-facility based program, must, within the first 12 months following completion of the competency evaluation program, reimburse the aide on a pro rata basis until the end of that 12-month period. If the aide leaves employment prior to the end of the 12-month period following completion of the program, the aide will lose the remaining pro-rated reimbursement. Subsequent nursing facilities, which employ the aide, are not required to make additional reimbursement to that aide. Reimbursement to facilities to cover the costs of the tests is administered by the State Medicaid Agency.

(4) The skills demonstration part of the evaluation must be—

(i) Performed in a facility or laboratory setting comparable to the setting in which the individual will function as a nurse aide.

State Agency Guideline. Submit the procedures for meeting this regulation and the following guideline.

Skills tests may be performed on manikins or on volunteer subjects. Volunteer subjects must have their privacy respected, particularly when exposing genital areas or breasts. If using resident volunteers, it must be made clear when someone from outside of the facility will observe the skills test. Residents who are not competent to make the decision to volunteer may not be used as subjects. If a laboratory setting is used, the appropriate furnishings and equipment must be available and arranged to ensure the setting is as real life as possible.

(ii) Administered and evaluated by a registered nurse with at least one year's experience in providing care for the elderly or the chronically ill of any age.

State Agency Guideline. Only a registered nurse may observe and evaluate the steps of each skills demonstration. The test vendor must ensure the proper training of skills test

administrators and proctors and that only registered nurses with one year's experience in a licensed medical facility are utilized.

The regulation does not specify that the nurse must have long term care experience, but must have provided care to the elderly or chronically ill of any age. In most cases, nurse educators, hospital and home health/hospice nurses, as well as those in long term care, will have experience in caring for such persons.

(d) Nursing facility proctoring of the competency evaluation.

(i) The competency evaluation may be conducted at the nursing facility at which the aide is (or will be) employed unless the facility is out of compliance with any of the requirements for participation within any of the 24 consecutive months prior to the competency evaluation.

State Agency Guideline. This requirement does not apply to testing entities which are not facility based. Only the SA may determine if a facility meets the proctoring requirements. The SA will notify the test vendor when a facility has lost its privilege of conducting a nurse aide training and competency evaluation program for 24 consecutive months due to sanctions imposed under 483.151(b). The test vendor may allow testing of aides who are in the process of completing a nurse aide training and competency evaluation program at the time of the sanction, but may not allow any further testing by a facility employed proctor until the sanctions are lifted.

(2) The state may permit the competency examination to be proctored by facility personnel of the State finds that the procedure adopted by the facility assures that the competency program—

(i) is secure from tampering;

(ii) Is standardized and scored by a testing, educational, or other organization approved by the state; and

(iii) Requires no scoring by facility personnel.

State Agency Guideline. The test vendor must provide a description of the procedures it will use to ensure the above-listed criteria are met. For security purposes, only one test proctor for each facility is permitted.

(3) The State must retract the right to proctor nurse aide competency evaluations from facilities in which the State finds any evidence of tampering by facility staff.

State Agency Guideline. The test vendor must immediately report to the SA any evidence of tampering of any test by a facility proctor. The approval to proctor the test by the facility will be rescinded by the SA. Any additional sanctions against the facility are at the discretion of the SA.

(e) Successful completion of the competency evaluation program.

(1) The State must establish a standard for satisfactory completion of the competency evaluation. To complete the competency evaluation successfully, an individual must pass both the written or oral exam and the skills demonstration.

State Agency Guideline. A minimum of a 75% passing score must be achieved on the written or oral test to successfully pass. The test vendor must develop criteria for successful/unsuccessful completion of the steps of the skills test. The minimum standard for a passing score on performance based tests is correct completion of 80% of the steps of the test. In addition, the examinee must successfully complete each key step of the skills test, as determined by the SA, in order to pass the test.

(2) A record of successful completion of the competency evaluation must be included in the nurse aide registry provided in 483.156 within 30 days of the date the individual is found to be competent.

State Agency Guideline. The test vendor will provide notice to the examinee and the State Registry of the test results. Information required to be contained in this notice are:

1. Individual's full name, including all previous names used
2. Individual's current home address and telephone number
3. Social security number (used for registry identification purposes only)
4. Individual's date of birth
5. The date the individual passed the test
6. The name of the test and test scores (pass/fail is acceptable on the notice for both tests)

The test vendor must send the test results notice to the State Registry within 15 days following the date of successful completion (i.e., the date scoring is completed) of both parts of the competency evaluation. This will allow sufficient time to enter the information in the State Registry to meet the 30-day requirement. Do not send notices for individuals who have not successfully passed either examination. These individuals must be retested.

(f) Unsuccessful completion of the competency evaluation program.

(1) If the individual fails to complete the evaluation satisfactorily, the individual must be advised—

- (i) Of the areas in which he or she was inadequate; and
- (II) That he or she has at least three opportunities to take the evaluation.

State Agency Guideline. The test vendor will provide to each individual who fails the test a notice describing the areas of the test that were failed. Failure of the written or oral portion of the test will require repeating the full examination. Failure of any or all of the skills demonstration will require the following:

1. If the individual fails two of the five skills demonstrations, the individual will be required to retest two skills from the same curriculum areas that were failed. This may include repeating the same skills tests.
2. If the individual fails three or more of the five skills demonstrations, the individual will be required to repeat the entire skills test.

(2) The State may impose a maximum upon the number of times an individual may attempt to complete the competency evaluation successfully, but the maximum may be no less than three for those individuals who have completed an approved training program.

State Agency Guidelines. For individuals who have completed an approved 75-hour nurse aide training program, the SA will allow three attempts to successfully pass both parts of the test. Individuals who fail the test after three attempts must complete another 75-hour nurse aide training program in order to be eligible to again repeat the test.

Individuals who have not completed a 75-hour nurse aide training program may request to take the test. If the individual does not pass both parts of the test on the first attempt, he/she must complete a 75-hour nurse aide training program in order to repeat the test.

### **State Agency Requirements**

The test vendor must submit to the SA, and keep current, the following information:

1. Timeline for the administration of the test following a request. Turn-around time between test administration and notice of pass/fail.
2. A list of facility proctors.
3. A list of regional test sites and test administrators
4. Verification of training of test administrators and proctors
5. All procedures, applications, instructions, forms, etc. provided to test administrators, proctors, examinees, and training agencies.
6. Quarterly statistical data that includes at least the percentage of individuals who have passed/failed the tests (written/oral and skills); test questions and skills most frequently passed/failed; number of individuals requiring retesting, and any other data that may be requested by the SA.

For an individual who has completed an approved nurse aide training program, the test vendor must require that a prospective examinee's application to take the test includes the following information: verification of completion of at least 75 hours of an approved nurse aide training program signed by an authorized representative of the training agency/facility.

Any additions or changes to the written/oral or skills tests must be reviewed and approved by the SA.